IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Crl.Rev.Pet.No. 2124 of 2007()

CRA.982/2005 of THE ADDL.SESSIONS JUDGE, ADHOC-II, ERNAKULAM.
CC.1241/2001 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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REVN. PETITIONER:

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1 M/S. SHREE RAHUL FLOUR MILL(p) LTD., REGD OFFICE; CC8/1928, ALATHUKUTTY LANE, KOCHI-2, REPRESENTED BY ITS MANAGING DIRECTOR, RAMESH AGARWAL.

2. RAMESH AGARWAL, AGED 49 YEARS, MANAGING DIRECTOR, M/S.SHREE RAHUL FLOUR MILL (P) LTD., REGD. OFFICE: CC 8/1928, ALATHUKUTTY LANE, KOCHI - 2.

BY ADV. SRI.NAVEEN THOMAS

RESPONDENTS:

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1. M/S JAGADISH TRADING COMPANY, 39/1532, II FLOOR, SHIVE ASHRAM, S.P. MUKHERJEE MARG, DELHI-6, REP. BY ITS POWER OF ATTORNEY HOLDER DILIP KUMAR AGARWAL, RESIDING AT 12/1334, PANAYAPPILLY, KOCHI - 2.

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

R2 BY P.P. SRI THOMAS JOHN AMBOOKEN.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 30/05/2007 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P. NO. 2124 of 2007

Dated this the 30th day of May, 2007

ORDER

The revision petitioners stand convicted for the offence under section 138 N.I.Act and sentenced to undergo simple imprisonment for one month each and to pay a compensation of Rs.1,20,000/- each to the complainant vide section 357(3) Cr.P.C and in default to undergo simple imprisonment for three months each. The revision petitioners have only sought for modification of the sentence and time to pay the amount.

2. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. The revision petitioners are granted four months' time from today onwards to pay the amount of compensation. They shall appear before the JFMC-II, Kochi on 29-9-2007 to receive the sentence.

NBW pending, if any, is to be kept in abeyance till then.

The Crl. R.P is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE.

Kvm/-

CRA 2

Kvm/-